

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND REFORM

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**MEMORANDUM**

**December 4, 2020**

**To: Members of the Subcommittee on Civil Rights and Civil Liberties**

**Fr: Committee Staff**

**Re: Hearing on the “Pipelines Over People: How FERC Tramples Landowner Rights in Natural Gas Projects”**

On **Wednesday, December 9, 2020, at 10:00 a.m.**, the Subcommittee will hold a remote hearing to examine the failure of the Federal Energy Regulatory Commission (FERC) to protect the rights of landowners whose properties are affected by natural gas projects. FERC is the primary federal permitting agency for the construction and operation of all major interstate natural gas pipelines.<sup>1</sup> Landowners face obstacles from FERC at every stage of the natural gas pipeline process, from the initial certificate to post-construction restoration. Earlier this year, the Subcommittee issued a video report with investigation findings.

New natural gas pipelines often span hundreds of miles across several states, crossing land owned by hundreds of individuals.<sup>2</sup> Pipeline companies can acquire the rights to build on that private land, either by negotiation or by force.<sup>3</sup> FERC approves almost all proposed pipelines, granting certificates that allow those companies to secure property access easements through a federal court eminent domain process.<sup>4</sup> Landowners who do not wish to sell to pipeline companies can therefore have their land taken from them over their objection. Once pipeline companies secure the right to build, they often continue clashing with the property owners by damaging the land and failing to repair it or offer compensation.

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<sup>1</sup> Federal Energy Regulatory Commission, *Natural Gas Pipelines* (online at [www.ferc.gov/industries-data/natural-gas/overview/natural-gas-pipelines](http://www.ferc.gov/industries-data/natural-gas/overview/natural-gas-pipelines)) (accessed on Dec. 3, 2020).

<sup>2</sup> Energy Information Administration, *Natural Gas Pipeline Projects* (Nov. 16, 2020) (online at [www.eia.gov/naturalgas/pipelines/EIA-NaturalGasPipelineProjects.xlsx](http://www.eia.gov/naturalgas/pipelines/EIA-NaturalGasPipelineProjects.xlsx));

<sup>3</sup> Federal Energy Regulatory Commission, *Landowner Topics of Interest* (online at [www.ferc.gov/industries-data/natural-gas/landowner-topics-interest](http://www.ferc.gov/industries-data/natural-gas/landowner-topics-interest)) (accessed on Dec. 3, 2020).

<sup>4</sup> 15 U.S.C. § 717f.

The FERC pipeline approval and construction processes are tilted in favor of natural gas companies and do not provide adequate means for landowners to protect their property, nor sufficient remedies to compensate for significant damage.

**I. WITNESSES**

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